

REMARKS

This amendment and remarks are in response to the Office Action mailed on April 13, 1999. Claims 1 through 18 are deleted. Claims 19 through 30 are added

Specification

Applicants have checked the lengthy specification and present amendments to the specification to correct grammatical and typographical errors thereto. Such amendment adds no new matter to the specification.

Claim Rejection under 35 U.S.C. § 103

In paragraph 3, the Office Action rejected the claims under 35 U.S.C. § 103 as being unpatentable over the article entitled "INETPhone: Telephone Services and Servers on Internet" by C. Yang (the Yang reference) in view of U.S. Patent No. 55,781,620 to Montgomery et al. (the Montgomery reference). After careful consideration of the references, Applicants traverse the rejection on the grounds that the references fail to disclose or suggest the requirements of the claims. The requirements of each independent claim and the reasons for patentability thereof is discussed below.

Independent Claim 19 and Dependent Claims 20 through 24

Independent claim 19 requires transmitting a query including a type of call service to the directory service to obtain a plurality of gateways between the packet switched network and circuit switched network that match the predefined call service criteria; querying each of the plurality of gateways to determine a network topology to service the call; ranking the plurality of gateways based on the network topology and the call service criteria; translating an identifier of a destination of the call from a listing of telephone numbers and associated internet protocol addresses in the directory service; and routing the call over the selected gateway.

One embodiment of claim 16 is shown in the specification in Figure 1F. As stated in the specification with reference to Figure 1F, at page 211, line 13 through page 212, line 20:

"Figure 1F is a block diagram of a hybrid (internet-telephony) switch in accordance

with a preferred embodiment . . . The hybrid internet telephony switch 221 grows out of the marriage of router architectures with circuit switching architectures . . . The selection of the outgoing network interface is made on the basis of routing tables. The switch 221 may also query an external Service Control Point (SCP) 276 on the internet to request routing instructions. Routing instructions, whether derived locally on the switch 221 or derived from the SCP 276, may be defined in terms of a subnet to use to reach a particular destination.

Like a router, each of the network interfaces in the switch 221 is labeled with a subnet address. Internet Protocol (IP) addresses contain the subnet address on which the computer is located. PSTN addresses do not contain IP subnet addresses, so subnets are mapped to PSTN area codes and exchanges. The switch 221 selects routes to IP addresses and PSTN addresses by selecting an interface to a subnet which will take the packets closer to the destination subnet or local switch.”

Other embodiments and support for the present invention are found elsewhere in the specification as well.

The present invention thus provides a seamless connection over the hybrid network. Because the internet telephony gateway uses the dialed number of a call to translate the call into an internet protocol address, the user need only dial the destination phone number and does not even have to know that the call is routed over the hybrid network rather than the PSTN.

In contrast to the present invention, the Yang reference nowhere discloses, *inter alia*, the requirements of claim 19 of “transmitting a query including a type of call service to the directory service to obtain a plurality of gateways between the packet switched network and circuit switched network that match the predefined call service criteria” and “translating an identifier of a destination of the call from a listing of telephone numbers and associated internet protocol addresses in the directory service.” At page one, section 2, the Yang reference describes the INETPhone service. It states:

Assuming a user at area A wants to call another user in area B. The user first makes a local call to an INETPhone server in area A. After the connection, the user keys in the remote phone number in area B to the server. Then the server

in area A makes a connection to another INETPhone server in area B, and requests the remote server to dial, as a local call, the phone number in area B.

As described above, there is no translation of the destination number of the call. The destination number of the call is the INETPhone server in area A. The caller must input the remote phone number to area B and this number is used to route the call. Thus, the user in area A must dial the server first rather than having a seamless connection over a hybrid network.

Furthermore, as stated by the Examiner in paragraph 5 of the Office Action, "Yang fails to disclose a logic which transmits a query message which includes a call type of service to the directory service to obtain a plurality of gateways that match the predefined call service criteria; querying each of the plurality of gateways to determine a network topology to service a call; ranking the plurality of gateways based on the network topology and the call service criteria and utilizing the selected gateway to service a call."

The Montgomery reference fails to add to the teachings of the Yang reference to meet the requirements of the claim 19. Similarly to the Yang reference, the Montgomery reference nowhere discloses, *inter alia*, the requirements of claim 19 of "transmitting a query including a type of call service to the directory service to obtain a plurality of gateways between the packet switched network and circuit switched network that match the predefined call service criteria" and "translating an identifier of a destination of the call from a listing of telephone numbers and associated internet protocol addresses in the directory service." The Montgomery reference merely describes a common PSTN architecture. The Montgomery reference does not select between a "plurality of gateways between the packet switched network and circuit switched network" but merely selects a carrier for a toll call in a PSTN, i.e. a circuit switched network. The reference fails to even disclose a hybrid network of a circuit switched network and a packet switched network and thus necessarily fails to describe a plurality of gateways that match the predefined call service criteria in a hybrid network. Furthermore, since it fails to disclose a hybrid network or a packet switched network, it also necessarily fails to describe or suggest translating an identifier of a destination of the call from a listing of telephone numbers and associated internet protocol addresses" since it would have no need to translate a telephone number.

For these reasons, Applicants respectfully request withdrawal of the rejection and allowance of claims 19 through 24.

Independent Claim 25 and Dependent Claims 26 through 30

Independent Claim 25 requires a circuit switched communication network; a packet transmission network coupled to the circuit switched communications network; a plurality of gateways connecting the circuit switched communication network and the packet network; and a call router coupled to the circuit switched communications network with logic that transmits a query including a type of call service to the directory service to obtain one or more of the plurality of gateways that match the predefined call service criteria; querying each of the plurality of gateways to determine a network topology to service the call; ranking the plurality of gateways based on the network topology and the call service criteria; accessing the directory service to match an identifier of a destination of the call to an associated internet protocol address; and routing the call to the selected gateway.

For the reasons explained above, the Yang reference nowhere discloses, *inter alia*, the requirements of claim 25 of, “a call router coupled to the circuit switched communications network with logic that transmits a query including a type of call service to the directory service to obtain one or more of the plurality of gateways that match the predefined call service criteria; querying each of the plurality of gateways to determine a network topology to service the call; ranking the plurality of gateways based on the network topology and the call service criteria; accessing the directory service to match an identifier of a destination of the call to an associated internet protocol address; and routing the call to the selected gateway.” In the Yang reference, there is no matching of the destination telephone number of the call. The destination telephone number of the call in the Yang reference is the INETPhone server in area A. The caller must input the remote phone number to area B, and this number is used to route the call. A user in area A must dial the server first rather than having a seamless connection over a hybrid network.

Furthermore, as stated by the Examiner in paragraph 5 of the Office Action, “Yang fails to disclose a logic which transmits a query message which includes a call type of service to the directory service to obtain a plurality of gateways that match the predefined call service criteria;

querying each of the plurality of gateways to determine a network topology to service a call; ranking the plurality of gateways based on the network topology and the call service criteria and utilizing the selected gateway to service a call.”

The Montgomery reference fails to add to the teachings of the Yang reference to meet the requirements of the claim 25. Similarly to the Yang reference, the Montgomery reference nowhere discloses, *inter alia*, the requirements of claim 25 of “a call router coupled to the circuit switched communications network with logic that transmits a query including a type of call service to the directory service to obtain one or more of the plurality of gateways between the packet switched network and circuit switched network that match the predefined call service criteria; querying each of the plurality of gateways to determine a network topology to service the call; ranking the plurality of gateways based on the network topology and the call service criteria; accessing the directory service to match an identifier of a destination of the call to an associated internet protocol address; and routing the call to the selected gateway.”

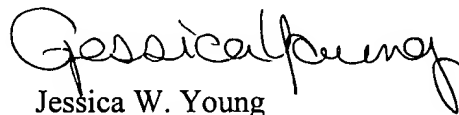
The Montgomery reference merely describes a common PSTN architecture. The Montgomery reference does not query to find one or more of a plurality of gateways between a packet switched network and a circuit switched network, but merely selects a carrier for a toll call in a PSTN, i.e. a circuit switched network. The reference fails to even disclose a hybrid network of a circuit switched network and a packet switched network and thus necessarily fails to describe a plurality of gateways that match the predefined call service criteria in a hybrid network. Furthermore, since it fails to disclose a hybrid network or a packet switched network, it also necessarily fails to describe or suggest, “translating an identifier of a destination of the call from a listing of telephone numbers and associated internet protocol addresses.” There is no need for such translation of a telephone number in the Montgomery reference since the call does not traverse a packet switched network.

For these reasons, Applicants respectfully request withdrawal of the rejection and allowance of claims 19 through 24.

CONCLUSION

Applicants respectfully request examination and allowance of the claims in this continued prosecution application. While it is believed that the foregoing amendment places the Application in condition for allowance, should the Examiner have any further comments or suggestions, please contact Jessica W. Young at (972) 729-7699 to expeditiously resolve any outstanding issues.

Respectfully submitted,



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